WPMS No. 150/2003

Hon'ble P.C. Verma, J.

The petition has been filed by the petitioner seeking writ of certiorari to quash the order dated 07.02.2003 passed by the trial court on the application under Order 39 Rule 1 & 2 C.P.C. in Regular Suit No. 178/2002.

The stay order granted in favour of the petitioner has been deemed to have been vacated by court below, meaning thereby the order has been vacated which impliedly disposes of the application under Order 39 Rule 1 & 2 C.P.C. Therefore, the order impugned in this writ petition is appealable. It is open for the petitioner to file on appeal before the District Judge concerned. With the aforesaid observations, the petition is dismissed.

Let a copy of this order be issued today on payment of necessary charges.

(P.C. Verma, J.)

25.3.2003
P. Singh